

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CINDY HOGAN-CROSS,

Plaintiff,

-against-

08 Civ. 0012 (LAK)

METROPOLITAN LIFE INSURANCE
COMPANY, et ano.,

Defendants.
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ORDER

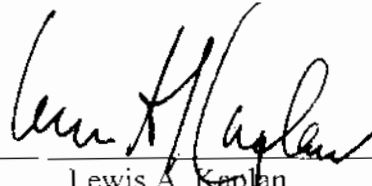
LEWIS A. KAPLAN, *District Judge*.

Immediately upon the filing of a stipulation of dismissal based upon an settlement, plaintiff's counsel by letter sought to have the stipulation vacated, claiming in essence that plaintiff had been tricked by defendant MetLife into discontinuing the action. MetLife has responded and plaintiff has replied.

If the parties agree that the issue should be resolved on the basis of their letters, the Court will do so. It might be helpful, however, if plaintiff were to proceed by formal motion and a better record thereby created. Accordingly, the parties shall advise the Court by letter, no later than September 10, 2008, how they wish to proceed.

SO ORDERED.

Dated: September 3, 2008



Lewis A. Kaplan
United States District Judge

